

# **CONSENT AGENDA**

**TUESDAY, AUGUST 8, 2006 – 5:30 P.M.  
MAYOR AND COUNCIL CHAMBERS  
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)**

## **6. CONSENT AGENDA ITEMS A THROUGH MM**

### **A. INTERGOVERNMENTAL AGREEMENT: WITH THE PIMA COUNTY FLOOD CONTROL DISTRICT FOR THE COLUMBUS WASH PHASE II DRAINAGE IMPROVEMENTS**

1. Report from City Manager AUG8-06-393 WARD 6
2. Resolution No. 20403 relating to Intergovernmental Agreements: approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and Pima County Flood Control District for the design, construction, and maintenance of Columbus Wash Phase II Drainage Improvements; and declaring an emergency.

### **B. GRANT AGREEMENT: WITH THE TOWN OF ORO VALLEY FOR A FEDERAL TRANSIT ADMINISTRATION GRANT**

1. Report from City Manager AUG8-06-394 OUTSIDE CITY
2. Resolution No. 20402 relating to Transportation; authorizing and approving the Grant Agreement between the City of Tucson and the Town of Oro Valley for a Federal Transit Administration (FTA) grant AZ-90-X073 allowing the Town of Oro Valley to purchase a replacement transit van for their mass transit system, Coyote Run; and declaring an emergency.

### **C. INTERGOVERNMENTAL AGREEMENT: WITH THE STATE OF ARIZONA FOR IMPROVEMENTS TO THE 36<sup>TH</sup> STREET RAILROAD CROSSING**

1. Report from City Manager AUG8-06-395 WARD 5
2. Resolution No. 20401 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and the State of Arizona for construction of improvements to the existing 36<sup>th</sup> Street railroad crossing; and declaring an emergency.

**D. TUCSON CODE: AMENDING (CHAPTER 10) DEFINING AND RESTRICTING THE USE OF NON-PERMANENT POSITIONS, AND ELIMINATION OF PROVISIONAL EMPLOYMENT (CONTINUED FROM THE MEETING OF JULY 6, 2006)**

1. Report from City Manager AUG8-06-405 CITY-WIDE
2. Ordinance No. 10302 relating to Civil Service – Human Resources: Tucson Code Chapter 10, Article I, Section 10-3 (Definitions), amending Subsection 10-3(18) to define non-permanent position and restrict its use; deleting Section 10-3(29); adding Subsection 10-3(35) to define just cause; amending Section 10-12 (Commissioned rules authorized), Subsection 10-12(4), (Making appointments), providing for non-permanent appointments, deleting reference to provisional appointments; amending Section 10-12(7) (Lay-off of employees), deleting reference to provisional employees; amending Section 10-12(8) (Procedure for disciplinary suspensions exceeding ten days, etc.), removing provision for just cause from section; and declaring an emergency.

**E. ASSURANCE AGREEMENT: (S05-182) INDIGOMODERN (THIRD STREET LOFTS), AN RCP SUBDIVISION, LOTS 1 TO 22 AND COMMON AREAS “A” AND “B”**

1. Report from City Manager AUG8-06-400 WARD 6
2. Resolution No. 20404 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S05-182 of a final plat for the indigoMODERN (Third Street Lofts), an RCP Subdivision, Lots 1 to 22 and common Areas “A” and “B”; and declaring an emergency.

**F. FINAL PLAT: (S05-182) INDIGOMODERN (THIRD STREET LOFTS), AN RCP SUBDIVISION, LOTS 1 TO 22 AND COMMON AREAS “A” AND “B”**

1. Report from City Manager AUG8-06-401 WARD 6
2. City Manager recommends that, after approval of the assurance agreement, the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

**G. TRANSPORTATION: AUTHORIZATION FOR THE TRANSPORTATION DEPARTMENT TO SUBMIT FEDERAL TRANSPORTATION ENHANCEMENT PROPOSALS**

1. Report from City Manager AUG8-06-402 CITY-WIDE
2. Resolution No. 20405 relating to transportation; authorizing the Director of the City of Tucson Department of Transportation to submit and sponsor six (6) Federal SAFETEA-LU Transportation Enhancement Project Proposals to the Arizona Department of Transportation Review Committee and to expend local matching funds in the event of approval; and declaring an emergency.

**H. REVISED INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR A BICYCLE AND PEDESTRIAN SAFETY AND EDUCATION PROGRAM**

1. Report from City Manager AUG8-06-403 CITY-WIDE
2. Resolution No. 20406 relating to Intergovernmental Agreements; authorizing and approving the revised Intergovernmental Agreement between the City of Tucson and Pima County for the implementation of a joint Federal Transportation Enhancement Grant for a Bicycle and Pedestrian Safety and Education Program and repealing Resolution 20304; and declaring an emergency.

**I. REAL PROPERTY: APPROVING A LEASE AGREEMENT WITH T-MOBILE WEST CORPORATION FOR PROPERTY AT 7496 EAST SPEEDWAY**

1. Report from City Manager AUG8-06-406 WARD 2
2. Ordinance No. 10306 relating to real property; authorizing and approving the Lease Agreement between the City of Tucson and T-Mobile West Corporation for a certain portion of real property located at 7496 East Speedway Boulevard; and declaring an emergency.

**J. AWARD AGREEMENT: WITH THE ARIZONA ATTORNEY GENERAL FOR A VICTIMS' RIGHTS IMPLEMENTATION ASSISTANCE PROGRAM**

1. Report from City Manager AUG8-06-407 CITY-WIDE
2. Resolution No. 20408 relating to victims' rights; approving and authorizing execution of an Award Agreement with the Arizona Attorney General's Office for the FY 2007 Victims' Rights Implementation Assistance Program; and declaring an emergency.

**K. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR DRUG CONTROL AND SYSTEM IMPROVEMENT**

1. Report from City Manager AUG8-06-408 CITY-WIDE
2. Resolution No. 20409 relating to grants; approving and authorizing execution of a Drug Enforcement Grant Award with the Arizona Criminal Justice Commission for Drug Control and System Improvement for FY06; and declaring an emergency.

**L. LICENSE AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR ACCESS TO THE GIS INTERNET PORTAL**

1. Report from City Manager AUG8-06-411 CITY-WIDE
2. Resolution No. 20412 relating to Information Technology; amending the License Agreement between the City of Tucson and Pima County for access to the GIS Internet Portal; and declaring an emergency.

**M. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE TUCSON GOLDEN ACES FOR THE MEN'S SENIOR BASEBALL LEAGUE WORLD SERIES**

1. Report from City Manager AUG8-06-412 WARD 2
2. Resolution No. 20413 relating to Finance; approving and authorizing the allocation of five hundred dollars (\$500) from the Community Support Fund, Account No. 001-183-1898-268, to the Tucson Golden Aces Men's Senior Baseball Team to participate in the Men's Senior Baseball League (MSBL) World Series; and declaring an emergency.

This is a request by Council Member West. Allocation of funds is as follows:  
Council Member West - \$500.00

**N. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE TUCSON SENIOR SOFTBALL LEAGUE**

1. Report from City Manager AUG8-06-413 WARD 5
2. Resolution No. 20414 relating to Finance; approving and authorizing the allocation of five hundred twelve dollars (\$512) from the Community Support Fund, Account No. 001-183-1898-268, to the Department of Parks and Recreation in support of the Tucson Senior Softball League; and declaring an emergency.

This is a request by Vice Mayor Leal. Allocation of funds is as follows:  
Vice Mayor Leal - \$512.00

**O. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE VIETNAM VETERANS OF AMERICA, TUCSON CHAPTER 106 FOR THE ANNUAL NAM JAM**

1. Report from City Manager AUG8-06-414 WARD 5
2. Resolution No. 20415 relating to Finance; approving and authorizing the allocation of three thousand four hundred eighty-eight dollars (\$3,488) from the Community Support Fund, Account No. 001-183-1898-268, to the Vietnam Veterans of America, Inc., Tucson Chapter 106 to help defray costs for Nam Jam; and declaring an emergency.

This is a request by Vice Mayor Leal. Allocation of funds is as follows:  
Vice Mayor Leal - \$3,488.00

**P. PUBLIC IMPROVEMENT: PIMA STREET, SWAN ROAD TO CRAYCROFT ROAD DISTRICT PAVING IMPROVEMENT**

1. Report from City Manager AUG8-06-415 WARD 6
2. Resolution No. 20407 Resolution providing for the issuance of City of Tucson Improvement Bond, Series No. 818, for the “Pima Street, Swan Road to Craycroft Road District Paving Improvement.”

**Q. FINAL PLAT: (S05-179) DRABS PUEBLO COMPLEX, LOTS 1 TO 3 AND COMMON AREAS “A” AND “B”**

1. Report from City Manager AUG8-06-416 WARD 1
2. City Manager recommends that the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

**R. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR FIXED-ROUTE SERVICE AND ADA PARATRANSIT CERTIFICATIONS**

1. Report from City Manager AUG8-06-417 CITY-WIDE
2. Resolution No. 20416 relating to Intergovernmental Agreements; authorizing and approving the amendment to the Intergovernmental Agreement between the City of Tucson and Pima County for the provision of Fixed-Route Service (Sun Tran), ADA Paratransit service (Van Tran), ADA Paratransit Certification, low fare certification and voucher sales; and declaring an emergency.

**S. REAL PROPERTY: ACQUISITION OF PROPERTY FOR A WATER RESERVOIR AND BOOSTER STATION LOCATED AT TANGERINE AND THORNYDALE ROADS**

1. Report from City Manager AUG8-06-425 OUTSIDE CITY
2. Resolution No. 20423 relating to real property; authorizing and approving the execution of an agreement to acquire certain real property located near Thornydale Road and Tangerine Road for the construction of the Tangerine/Thornydale (T2) reservoir and booster station, and declaring an emergency.

**T. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY TO ESTABLISH THE STARR PASS TRAILHEAD**

1. Report from City Manager AUG8-06-428 WARD 1
2. Resolution No. 20422 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County to establish the Starr Pass Trailhead on Tucson Water property in the Tucson Mountains; and declaring an emergency.

**U. AGREEMENT: WITH THE ARIZONA DEPARTMENT OF CORRECTIONS FOR AN INMATE WORKER PROGRAM**

1. Report from City Manager AUG8-06-424 CITY-WIDE
2. Resolution No. 20421 relating to Transportation; authorizing and approving the execution of an agreement between the Arizona Department of Corrections and the City of Tucson for an inmate worker program; and declaring an emergency.

**V. RIO NUEVO: APPROVING AN EXPENDITURE OF FUNDS BY THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT FOR IMPROVEMENTS TO THE CLARK STREET UNDERPASS**

1. Report from City Manager AUG8-06-426 WARD 1
2. Resolution No. 20420 relating to the Rio Nuevo; approving an expenditure of funds by the Rio Nuevo District for the widening and improvement of the Clark Street underpass; and declaring an emergency.

**W. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE OAK FLOWER NEIGHBORHOOD REINVESTMENT PROJECT**

1. Report from City Manager AUG8-06-427 WARD 3
2. Resolution No. 20419 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the Oakflower Neighborhood Reinvestment Project; and declaring an emergency.

**X. GRANT APPLICATION: TO THE U.S. BUREAU OF RECLAMATION FOR A WATER CONSERVATION GRANT**

1. Report from City Manager AUG8-06-420 CITY-WIDE
2. Resolution No. 20418 relating to stormwater; authorizing and approving the execution of the grant application between the City of Tucson and the U.S. Bureau of Reclamation for a water conservation grant in the amount of forty thousand eight hundred fifty dollars and no cents (\$40,850.00); and declaring an emergency.

**Y. REAL PROPERTY: AUTHORIZATION TO ACQUIRE REAL PROPERTY ON NORTH HOFF AVENUE TO FACILITATE THE OPERATION AND MAINTENANCE OF THE HIGH SCHOOL WASH**

1. Report from City Manager AUG8-06-391 WARD 6
2. Resolution No. 20417 relating to real estate; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary certain real property located at 330-334 North Hoff Avenue to facilitate the operation and maintenance of the High School Wash; and declaring an emergency.

**Z. BOARDS, COMMITTEES, AND COMMISSIONS: CREATION OF THE RESOURCES PLANNING ADVISORY COMMITTEE**

1. Report from City Manager AUG8-06-423 CITY-WIDE
2. Ordinance No. 10310 relating to Boards and Commissions; amending the Tucson Code Chapter 10(A), Community Affairs, by adding a new Article XIX, Resource Planning Advisory Committee (RPAC); and declaring an emergency.

**AA. FINANCE: TRANSFER OF FUNDS FROM THE WARD 5 OFFICE BUDGET TO THE PARKS AND RECREATION DEPARTMENT TO HELP DEFRAY COSTS FOR NAM JAM**

1. Report from City Manager AUG8-06-438 WARD 5
2. Resolution No. 20424 relating to Finance; authorizing and approving the reallocation of one thousand twelve dollars (\$1012) from the Ward Five Council Office budget to the Parks and Recreation Department to assist the Vietnam Veterans of America, Chapter 106 to help defray costs for Nam Jam; and declaring an emergency.

**BB. FINAL PLAT: (S06-086) COPPER STAR CONDOMINIUM, A CONDOMINIUM CONVERSION PROJECT, UNITS 101 TO 143 AND 201 TO 243, LIMITED COMMON ELEMENTS AND COMMON ELEMENTS “A”, “B”, AND “C”**

1. Report from City Manager AUG8-06-435 WARD 3
2. City Manager recommends that the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

**CC. FINAL PLAT: (S06-025) RANCHO DEL SOL CONDOMINIUMS, UNITS 1 TO 88 AND COMMON ELEMENT “A”**

1. Report from City Manager AUG8-06-433 WARD 3
2. City Manager recommends that the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

**DD. FINAL PLAT: (S06-008) BEAR CANYON CONDOMINIUM**

1. Report from City Manager AUG8-06-434 WARD 2
2. City Manager recommends that the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.



**EE. FINANCIAL PARTICIPATION AGREEMENTS: WITH VARIOUS OUTSIDE AGENCIES FOR FISCAL YEAR 2007**

1. Report from City Manager AUG8-06-436 CITY-WIDE
2. Resolution No. 20425 relating to outside agency activities; authorizing and approving the Financial Participation Agreements between the City of Tucson and various outside organizations for Fiscal Year 2007; and declaring an emergency.

**FF. INTERGOVERNMENTAL AGREEMENT: WITH THE PIMA COUNTY FREE LIBRARY DISTRICT FOR INFORMATION TECHNOLOGY SERVICES**

1. Report from City Manager AUG8-06-390 CITY-WIDE
2. Resolution No. 20426 relating to library services: approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and Pima County Free Library District (“District”) to provide transitional information technology service to the Pima Library District; and declaring an emergency.

**GG. RIO NUEVO: APPROVING AN EXPENDITURE OF FUNDS BY THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT FOR THE SERVICES OF LLOYD CONSTRUCTION FOR THE MISSION SAN AGUSTIN PROJECT**

1. Report from City Manager AUG8-06-430 WARD 1
2. Resolution No. 20428 relating to the Rio Nuevo; approving an expenditure of funds by the Rio Nuevo Multipurpose Facilities District for the services of Lloyd Construction for pre-construction services during the conceptual design phase of the Mission San Agustin Project; and declaring an emergency.

**HH. RIO NUEVO: APPROVING AN EXPENDITURE OF FUNDS BY THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT FOR THE AVENIDA DEL CONVENTO/CLEARWATER DRIVE PROJECT**

1. Report from City Manager AUG8-06-431 WARD 1
2. Resolution No. 20429 relating to the Rio Nuevo; approving an expenditure of funds by the Rio Nuevo Multipurpose Facilities District for construction of a Roundabout at the intersection of Grande Avenue and Clearwater Drive as part of the Avenida del Convento/Clearwater Drive Project; and declaring an emergency.

## **II. APPROVAL OF MINUTES**

1. Report from City Manager AUG8-06-389 CITY-WIDE
2. Approval of minutes for the regular meetings of the Mayor and Council held on June 13, 2006, June 20, 2006, June 27, 2006, and July 6, 2006 and the Special Meeting held June 13, 2006.

### **JJ. REAL PROPERTY: AGREEMENT FOR WATER MAIN EASEMENT FOR THE SANTA RITA BEL AIR FACILITIES**

1. Report from City Manager AUG8-06-440 WARD 4 AND OUTSIDE CITY

Material for this item will be available on the City website and in the City Clerk's office as soon as it becomes available.

### **KK. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE COALITION FOR AFRICAN AMERICAN HEALTH & WELLNESS FOR THE PEOPLE OF COLOR FESTIVAL**

1. Report from City Manager AUG8-06-441 WARD 6
2. Resolution No. 20432 relating to Finance; approving and authorizing the allocation of two hundred and fifty dollars (\$250) from the Community Support Fund, Account No.001-183-1898-268, to the People of Color Festival, sponsored by the Coalition for African American Health & Wellness; and declaring an emergency.

### **LL. INDUSTRIAL DEVELOPMENT: AUTHORIZATION FOR THE ISSUANCE OF TUCSON INDUSTRIAL DEVELOPMENT AUTHORITY HEALTHCARE REVENUE AND REFUNDING BONDS**

1. Report from City Manager AUG8-06-409 CITY-WIDE
2. Resolution No. 20411 relating to industrial development; approving and authorizing the issuance by the Industrial Development Authority of the City of Tucson, Arizona, Healthcare Revenue and Refunding Bonds (COPE Behavioral Services, Inc., Project), Series 2006-A and Taxable Series 2006-B, in a principal amount not to exceed \$11,500,000 (The "Bonds"); and declaring an emergency.

**MM. INDUSTRIAL DEVELOPMENT AUTHORITY: TECHNICAL AMENDMENTS  
TO RESOLUTION 20381 ADOPTED JUNE 27, 2006**

1. Report from City Manager AUG8-06-442 CITY-WIDE
2. Resolution No. 20431 relating to industrial development; technical amendments to Resolution No. 20381 approving and authorizing the issuance by the Industrial Development Authority of the City of Tucson, Arizona, of Joint Single-Family Mortgage Revenue Bonds in one or more subseries, in an aggregate principal amount not to exceed \$40,000,000 in furtherance of the Joint Single-Family Mortgage Revenue Bond Program of 2006 of the Industrial Development Authority of the City of Tucson, Arizona, and the Industrial Development Authority of the County of Pima; and declaring an emergency.